

ASSEMBLY BILL

No. 2182

Introduced by Assembly Member Mullin

February 18, 2016

An act to amend Section 49475 of the Education Code, relating to school athletics.

LEGISLATIVE COUNSEL'S DIGEST

AB 2182, as introduced, Mullin. School athletics: neurocognitive testing.

(1) Existing law requires a school district, charter school, or private school, if it offers an athletic program, to immediately remove an athlete from an athletic activity for the remainder of the day if the athlete is suspected of sustaining a concussion or head injury, and prohibits the athlete from returning to the athletic activity until the athlete is evaluated by a licensed health care provider, trained in the management of concussions and acting within the scope of his or her practice, and the athlete receives written clearance from the licensed health care provider to return to the athletic activity. Existing law also requires, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and athlete's parent or guardian before the athlete initiates practice or competition.

Existing law further provides that, if a licensed health care provider determines that the athlete sustained a concussion or a head injury, the athlete is required to complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider.

This bill would express legislative findings and declarations relating to concussions or traumatic injuries sustained by pupils participating

in high school interscholastic athletics and the value of neurocognitive testing.

The bill would require a school district, charter school, or private school that offers an athletic program to provide neurocognitive testing, as defined, for pupils who participate in interscholastic athletics. The bill would require this testing to take place at the beginning of an athletic season before any competitions have taken place and after any head injury.

The bill would require a school district, charter school, or private school that offers an athletic program to collect and maintain data on traumatic brain injuries and concussions sustained by any of its pupils during an athletic competition. The bill would require that this data be reported periodically to the appropriate county office of education and would require the county office of education to compile and retain the data for summary and analysis. By imposing new duties on county offices of education, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The California Interscholastic Federation (CIF), California's
- 4 governing body for high school sports, requires that if it is
- 5 suspected that a pupil has sustained a concussion or traumatic brain
- 6 injury in an athletic competition the pupil must be removed from
- 7 competition immediately and required to receive written clearance
- 8 from a physician before returning to competition.
- 9 (b) Section 49475 of the Education Code, as it was amended
- 10 by Assembly Bill 2127 of the 2013–14 Regular Session of the
- 11 Legislature effective January 1, 2015, provides that a pupil athlete

1 who has been diagnosed with a concussion cannot return to play
2 sooner than seven days after having been evaluated and diagnosed
3 by a physician.

4 (c) The value of neurocognitive testing is that it establishes a
5 baseline of each athlete's normal neurocognitive functioning before
6 beginning athletic activity. By establishing this baseline, an athlete
7 with a suspected head injury can then be retested to help assess
8 the degree of injury.

9 (d) Following any kind of head injury, athletes retake the test
10 and have the results judged against the baseline test. This is
11 especially important when an athlete experiences numerous hits
12 to the head.

13 SEC. 2. Section 49475 of the Education Code is amended to
14 read:

15 49475. (a) If a school district, charter school, or private school
16 elects to offer an athletic program, the school district, charter
17 school, or private school shall comply with ~~both~~ all of the
18 following:

19 *(1) The school district, charter school, or private school to*
20 *which this section is applicable shall provide neurocognitive testing*
21 *for pupils who participate in interscholastic athletics. This testing*
22 *shall take place at the beginning of an athletic season before any*
23 *competitions have taken place and after any head injury.*

24 ~~(1)~~
25 (2) (A) An athlete who is suspected of sustaining a concussion
26 or head injury in an athletic activity shall be immediately removed
27 from the athletic activity for the remainder of the day, and shall
28 not be permitted to return to the athletic activity until he or she is
29 evaluated by a licensed health care provider. The athlete shall not
30 be permitted to return to the athletic activity until he or she receives
31 written clearance to return to the athletic activity from a licensed
32 health care provider. If the licensed health care provider determines
33 that the athlete sustained a concussion or a head injury, the athlete
34 shall also complete a graduated return-to-play protocol of no less
35 than seven days in duration under the supervision of a licensed
36 health care provider. The California Interscholastic Federation is
37 urged to work in consultation with the American Academy of
38 Pediatrics and the American Medical Society for Sports Medicine
39 to develop and adopt rules and protocols to implement this
40 paragraph.

1 (B) A school district, charter school, or private school to which
2 this section is applicable shall collect and maintain data on
3 traumatic brain injuries and concussions sustained by any of its
4 pupils during an athletic competition. This data shall be reported
5 periodically to the appropriate county office of education, but the
6 names of the injured pupils shall be kept confidential. The county
7 office of education shall compile and retain the data for summary
8 and analysis.

9 (2)

10 (3) On a yearly basis, a concussion and head injury information
11 sheet shall be signed and returned by the athlete and the athlete's
12 parent or guardian before the athlete initiates practice or
13 competition.

14 (b) As used in this ~~section~~, "licensed section, the following terms
15 have the following meanings:

16 (1) "Licensed health care provider" means a licensed health
17 care provider who is trained in the management of concussions
18 and is acting within the scope of his or her practice.

19 (2) "Neurocognitive testing" means a comprehensive evaluation
20 of a person's cognitive status by specific neurologic domains,
21 including, but not necessarily limited to, memory, attention,
22 problem solving, language, visuospatial, processing speed, motor,
23 and emotion.

24 (c) This section does not apply to an athlete engaging in an
25 athletic activity during the regular schoolday or as part of a physical
26 education course required pursuant to subdivision (d) of Section
27 51220.

28 SEC. 3. If the Commission on State Mandates determines that
29 this act contains costs mandated by the state, reimbursement to
30 local agencies and school districts for those costs shall be made
31 pursuant to Part 7 (commencing with Section 17500) of Division
32 4 of Title 2 of the Government Code.